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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christopher Gregory Malone, et al.

Serial No.: 09/932,529

Filed: August 17, 2001

For: Daughter-Card
Structural Support

Art Unit: 2827

Examiner: Tuan T. Dinh

Tel: (703) 306-5856

Telephone Action: March 11, 2002

RESPONSE TO SECOND RESTRICTION REQUIREMENTBox Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is responsive to the second Restriction Requirement dated March 11, 2002. In accordance with 37 CFR §1.136(a)(3), authorization is hereby granted to charge all required extension of time fees under 37 CFR §1.17 to Deposit Account No. 08-2025.

REMARKS

Claims 1-20 were pending in this case. Consideration of the application in view of the following remarks is respectfully requested.

In response to the Examiner's first Restriction Requirement, Applicants provisionally elected the invention shown in FIG. 2, as recited in claims 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 19, and 20, subject to traverse. Non-elected claims 5, 6, 12, 17, and 18 were provisionally withdrawn from consideration. Claims 5 and 17 were provisionally withdrawn, since these claims read on the "spine and rib" embodiment of FIG. 3, and claims 6, 12, and 18 were provisionally withdrawn, since these claims read on the L-shaped brackets discussed with FIG. 3 and FIG. 4.

On March 11, 2002, the Examiner made a second Restriction Requirement to elect prosecution one of the following inventions: Embodiment I as recited in method claims 1, 2,

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3, 4, and 7, Embodiment II as recited in method claims 8, 9, 10, and 11, and Embodiment III as recited in apparatus claims 13, 14, 15, 16, 19, and 20.

In response to the Examiner's second Restriction Requirement, Applicants provisionally elect Embodiment III of the invention, as recited in claims 13, 14, 15, 16, 19, and 20, subject to traverse. Non-elected claims 1, 2, 3, 4, 7, 8, 9, 10, and 11 are provisionally withdrawn from consideration.

Applicants respectfully traverse the Examiner's restriction requirement on the grounds that all three embodiments are drawn to one invention, i.e., a daughter-card structural support. Applicants also point out that claims 1-20 read on invention embodiments that should all be classified in the same class and subclass of invention. Therefore, these embodiments should not be subject to restriction.

Furthermore, Applicants respectfully point out that the same Examiner should examine all of the claims 1-20 in one patent application so as to maintain the efficiency of the Patent Office, and for the Examiner to utilize the same criteria for the examination of all the claims presented. Moreover, if the first and second Restriction Requirements are not withdrawn, additional divisional patent applications will be required, which will cause vastly increased expenditures for prosecution of the additional divisional patent applications, and cause vastly increased expenditures for the USPTO patent application fees and patent maintenance fees by the assignee. Therefore, Applicants respectfully request that the first and second Restriction Requirements be withdrawn.

Applicants' undersigned attorney can be reached at (408) 248-1958. All correspondence should continue to be directed to the address previously indicated.

Respectfully submitted,



Dated: March 12, 2002

Kevin Roe
USPTO Reg. No. 40,148

March 12, 2002

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